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DELTAGEN, INC.
740 BAY ROAD
REDWOOD CITY, CA 94063

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JAN 22 2004

OFFICE OF PETITIONS

In re Application of
Allen, Keith D.
Application No. 09/904,180
Filed: July 11, 2001
Attorney Docket No. R-477

ON PETITION

This is a decision on the renewed petition under 37 C.F.R. § 1.137(b), filed January 9, 2004, to revive the above-identified application.

The petition is granted.

This application became abandoned for failure to timely reply within three months to the final Office action mailed January 14, 2003. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, this application became abandoned on April 15, 2003. A Notice of Abandonment was mailed on October 16, 2003.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

The Change of Correspondence Address submitted with the instant petition on January 9, 2004, requests that the Correspondence Address be changed to both Customer Number 26619 and Deltagen, Inc., 1031 Bing Street, San Carlos, CA, 94070. As the Office will not recognize more than one correspondence address (37 CFR 1.33(a)), any inconsistencies between the correspondence address resulting from a Customer Number being provided in an application for the correspondence address and any other correspondence address provided in that application would be resolved in favor of the address of the Customer Number. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

The file is now being forwarded to Technology Center 1600 for processing of the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Telephone inquiries should be directed to Paralegal Liana Chase at (703) 306-0482.

Karen Creasy
Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: Kelly L. Quast
1031 Bing Street
San Carlos, CA 95051